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11 UNITED STATES DISTRICT COURT  
12 DISTRICT OF ARIZONA

13 Michael Andrew Collier, and Kim Collier-  
14 Dingman,

15 Plaintiffs,

16 vs.

17 Gurstel Chargo, P.A.,

18 Defendant.  
19

No. 2:12-cv-02161-PHX-JAT

**RESPONSE TO MOTION TO  
EXTEND TIME TO RESPOND TO  
MOTION FOR SANCTIONS**

20 Gurstel Chargo, P.A., (“Gurstel Chargo”) hereby responds to Plaintiffs’ counsel’s  
21 motion to extend time to respond to the motion for sanctions (Docket # 80). This  
22 requested extension is unreasonable, particularly the amount of time requested. In addition  
23 to the 10 business days and 3 mailing days provided by LRCiv 7.2 and FRCP 6d,  
24 Plaintiffs’ counsel seeks an extra 30 days to respond to the motion. There is no reasonable  
25 basis to request such a lengthy extension. Gurstel Chargo has dealt with the false  
26  
27  
28

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1 allegations in the Complaint for over a year. Continuing to delay the resolution of this  
2 case causes Gurstel Chargo additional expense and hardship.

3 The primary basis of the extension revolves around counsel's need to order a  
4 deposition transcript not purchased during the normal course of litigation. Plaintiffs'  
5 counsel never advised Gurstel Chargo that he needed the transcript prior to filing the  
6 motion to extend time. Gurstel Chargo's counsel provided a courtesy copy of the  
7 transcript via e-mail to Plaintiffs' counsel on the same day he filed his motion to extend  
8 time. Accordingly, Plaintiffs' counsel does not require additional time to obtain the same.  
9

10 Gurstel Chargo's objection to the request for additional time focuses on the undue  
11 amount of time requested. Gurstel Chargo would not object to a reasonable extension of  
12 seven (7) days to accommodate Plaintiffs' counsel for the time he was on vacation.  
13 However, a request of 30 days is unwarranted.  
14

15 DATED this 23<sup>rd</sup> day of October, 2013.  
16

17  
18 **LEWIS BRISBOIS BISGAARD & SMITH**  
19 **LLP**

20 By /s/ Sean P. Healy  
21 Sean P. Healy  
22 Shawn M. Petri  
23 *Attorneys for Defendant*

24 **CERTIFICATE OF SERVICE**

25 I hereby certify that on October 23, 2013, I electronically transmitted the foregoing  
26 document to the Clerk's office using the Court's CM/ECF System and thereby served all  
27 counsel of record in this matter.

28 /s/ Janet K. Jones